

Exhibit 1

From: Phil McCune <philm@SummitLaw.com>
Sent: Wednesday, July 11, 2012 8:07 AM
To: Shane Cramer
Cc: Chris Wion; Summit1823; 'Jenner, Jesse J.'; 'Pepe, Steven'
Subject: RE: Damages discovery

We agree.

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From: Shane Cramer [<mailto:shanec@dhl.com>]
Sent: Tuesday, July 10, 2012 9:38 AM
To: Phil McCune
Cc: Chris Wion
Subject: Damages discovery

Phil,

In light of the Court's statements at the hearing yesterday, we assume you agree that damages discovery will proceed on a separate schedule, in conjunction with expert reports on damages and breach.

Let us know whether you disagree.

Thanks,

Shane

Shane P. Cramer

Attorney

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